

**Minutes  
City of Burlington Plan Commission  
Police Dept. Courtroom  
February 12, 2008 6:30 p.m.**

Mayor Lois called the Plan Commission meeting to order this Tuesday evening at 6:30 p.m. followed by roll call: Commissioners John Thate, Darrel Eisenhardt, Bob Henney Tom Vos, Bob Schulte and Town of Burlington Representative Phil Peterson. Commissioner John Lynch was excused. Also present were: City Administrator Kevin Lahner; Building Inspector / Zoning Administrator Patrick Scherrer; Aldermen Peter Girolamo, Bob Miller, Bob Prailes and Mr. Patrick Meehan, Meehan and Company, Inc.

**APPROVAL OF MINUTES**

Commissioner Vos moved and Commissioner Thate seconded to approve the minutes of January 8, 2008. All were in favor and the motion carried.

**Citizen Comments** – None.

**PUBLIC HEARINGS**

- A. A public hearing to consider a Conditional Use application from Verizon Wireless, for property located at 341 Origen Street to upgrade the existing telecommunications equipment and add a generator.**

Mayor Lois opened the public hearing at 6:31 p.m.

Mr. Cory Militzer, 301 Lewis Street, City of Burlington questioned why he did not receive a letter regarding this issue as he is very close to this property. Mayor Lois explained that letters only go out to the neighbors within a certain radius of the property. Mr. Militzer also noted that the date on the letter for the meeting was wrong. He questioned if additional antennas were to be added on the tower and if there would be any increase in power to the antennas. Mr. Patrick Meehan, Meehan and Company, Inc. stated that no additional antennas would be added and the generator is only for backup purposes in the case of a power outage. Mr. Militzer expressed his concern with the radiation that is emitted from this antenna and others in very close proximity within the City. He suggested that a background radiation level test be done to make sure the radiation level is where it should be.

Mr. Henry Zimmerman, 325 Origen Street, City of Burlington also expressed his concern regarding the number of antennas in the area, as well as the health hazards with the levels of radiation. He also questioned whether this upgrade would make more noise in the area. Mayor Lois clarified that the generator still has to meet the City's sound ordinance of less than 50 decibels. Mr. Zimmerman also mentioned that the International Firefighters Association banned the antennas from being put on their buildings due to the radiation that is emitted and the City should keep that in mind. Mayor Lois stated the radiation level from this antenna and others would be checked into.

Commissioner Vos expressed his concern with the information on the agenda regarding this subject being misleading and vague. Mr. Meehan explained that the upgrade part of this issue is referring to the generator itself, as well as the

wires that would be connected to it from the antenna and the chain link fence around the generator.

Commissioner Eisenhardt moved and Commissioner Thate seconded to close the public hearing. All were in favor and the motion carried. The public hearing was closed at 6:41 p.m.

### **OLD BUSINESS**

1. **Consideration to approve a Site Plan Application and recommend approval of three (3) revised Certified Survey Maps and a Rezone Application to the Common Council from CJ Engineering, LLC for the Meadows at Pine Brook condominium project, subject to Kapur and Associates January 25, 2008 memorandum and Patrick Meehan's January 31, 2008 memorandum to the Plan Commission.**

Mayor Lois excused himself from this discussion. Commissioner Thate took over chairing the meeting for this issue and opened this issue for discussion.

Mr. John Didier, owner of Pinebrook Point and the architect for this project gave a presentation regarding the updated plans and designs. They reminded the Commission that the plans now show 32 total units, with 26 being built in the north portion of the original Springbrook Landing area. The remaining six will be built by Hwy 83 on the former Koenig property. They explained that a road would be added to connect to Hwy 83 after the Bypass is completed. It was also noted that the Homeowners Association for Springbrook Landing would retain control and maintenance over the outlots.

Mr. Joe Dawidziak, 1165 Hidden Creek Lane, City of Burlington, again stated that he agrees with the revised plans and thanked the City and developers for working with the neighbors on a compromised plan.

Acting Chairman Thate questioned if a majority of the neighbors were in agreement with the new plans. Mr. Dawidziak stated that a good majority of the neighbors are in agreement with the compromised plan.

Acting Chairman Thate noted that he would be retaining his voting rights for this issue.

Commissioner Eisenhardt moved and Commissioner Henney seconded to approve a Site Plan Application and recommend approval of three (3) revised Certified Survey Maps and a Rezone Application to the Common Council from CJ Engineering, LLC for the Meadows at Pine Brook condominium project, subject to Kapur and Associates January 25, 2008 memorandum and Patrick Meehan's January 31, 2008 memorandum to the Plan Commission as follows:

#### **All Certified Survey Maps:**

- Wis. ss 236.34 1 (c) All Final Certified Survey Maps must have a seal and signature on each page.
- On the last line of the surveyor's certificate, please add after "...STATE OF WISCONSIN AND..." please add "and Chapter 278 OF..."

- **Certified Survey Map of Outlots 1 & 3 of Spring Brook Landing:**
  - 236.20 2 (g) ... the distance between the point of intersection of such meander lines with lot lines and the ordinary high water mark.
  - 236.34 (1) (a) Error in latitude and departure closure is greater than one in 3000.
- **Certified Survey Map of Lots 13-39 & Outlot 2 of Spring Brook Landing:**
  - Line 11 of the description in the surveyor's certificate reads "CHORD BEARS S30°40'15"W (MISSING CHORD)"
  - Line 16 of 2nd description in the surveyor's certificate reads "CHORD BEARS S67°40'45"W (MISSING CHORD)"
  - 236.34 (1) (a) Error in latitude and departure closure for Lot 2 is greater than one in 3000.
  - Descriptions have missing calls to "Spring Brook Drive" & "Tributary Lane".
- **Certified Survey Map of CSM 1312:**
  - Distance 356.56' on map does not match description.
- Any portions of the subject property located in the FW Floodway District are subject to the requirements of the recently amended FW Floodway District under the provisions of City of Burlington Ordinance No. 1808(12) including Section 315-38 of that Ordinance. In addition, any amendments to floodplain zoning district delineations need to follow the provisions of Section 315-123 of Ordinance No. 1808(12).
- Any proposed departures from the standards of development as set forth in the City zoning regulations, Chapter 278, Subdivision of Land, other City regulations or administrative rules, or other universal guidelines.
- For any additional departures from the standards of development of the City zoning regulations, additional data must be submitted by the applicant.
- Characteristics of soils related to contemplated specific uses must be submitted by the applicant as may be needed by the City Engineer.
- Plans sufficiently detailed and precise and a "Letter of Credit" for all improvements must be submitted to the City before final approval is given by the Common Council pursuant to the requirements of Section 315-43(K)(2)(b) of the City Zoning Ordinance.
  - This includes all of the following:
    - Final Condominium Plat meeting all applicable requirements of Chapter 703 of the Wisconsin Statutes as amended.

- All engineering plans (including utility, grading, and stormwater management calculations and plans).
  - All detailed Landscape Plans as required under Sections 315-137(C)(18) and 315-138 of the City Zoning Ordinance.
  - All architectural plans as required under Section 315-137(C)(24) of the City Zoning Ordinance.
  - All proposed condominium documents, homeowners association documents, deed restrictions, protective covenants, and development agreements.
  - The submittal to the City for City approval of a Subdivider's Agreement (pursuant to Section 278-10 of the City "Subdivision of Land" Ordinance) and detailed engineering and drainage plans for the development for the construction of the proposed new segment of Spring Brook Drive as well as the provision of an adequate escrow amount for the demolition of the existing structures on proposed Lot 3.
- A revised detailed Landscape Plan for all required street trees and landscape bufferyards meeting all the requirements of Section 315-138 of the City Zoning Ordinance must be submitted for the recently submitted revised plans meeting the Landscape Plan requirements for the detailed plan submittal.
  - In addition, these required landscape bufferyards will also need to be noted on the forthcoming Condominium Plats "LANDSCAPE BUFFERYARD EASEMENTS."
  - Sections 315-48(D)(6)(b) and 315-52(H)(12) of the City Zoning Ordinance require that all landscape plant materials planted as required bufferyards meet or exceed the minimum plant material size standards set forth in Section 315-48(D)(6)(b) of the City Zoning Ordinance at time of installation. The landscape plant materials indicated on the required revised Landscape Plan must meet those requirements.
  - **Certified Survey Map (5 sheets, dated January 14, 2008 as prepared by Christopher A. Jackson, RLS) for a division of Outlot 3 in Spring Brook Landing Subdivision, Section 4, T2N, R19E, City of Burlington.** The proposed Certified Survey Map appears to meet the various lot size dimensional requirements of the Rd-2 District; however, no residential development is proposed for proposed Outlots 1 and 3 at this time.
  - The proposed Certified Survey Map appears to meet the various requirements of Section 236.20(2) of the Wisconsin Statutes except as follows:
    - Pursuant to the requirements of Section 236.34(1)(c) and 236.20(2)(e) of the Wisconsin Statutes, all outlots must be numbered consecutively. Therefore, since there are only two outlots in this proposed Certified Survey Map, proposed Outlot 3 must be renumbered as proposed Outlot 2 and a revised Certified Survey Map submitted to the City indicating this correction.

- The proposed parcels created by the proposed Certified Survey Map appear to meet the various mandated requirements of the City Subdivision of Land Ordinance as set forth in Section 278-39 of that Ordinance except as follows:
  - Pursuant to the requirements of Section 278-39(A)(2), the setbacks shown on the proposed Certified Survey Map must match those indicated in the "Table of Departures from the Rd-2 District" and so corrected on the face of the proposed Certified Survey Map and a revised Certified Survey Map submitted to the City indicating this correction.
  - Pursuant to the requirements of Section 278-39(A)(5), existing and proposed contours must be indicated. However, due to the significantly large parcel of land for the proposed CSM and since a detailed grading plan will be submitted for City Engineer review and approval, it is recommended that this requirement be waived by the Plan Commission pursuant to the requirements of Section 278-11 of the City Subdivision of Land Ordinance.
  - Pursuant to the requirements of Section 278-39(A)(6), the date of the Certified Survey Map needs to be a consistent date indicated on each sheet of the proposed Certified Survey Map and a revised Certified Survey Map submitted addressing this issue.
- **Certified Survey Map (3 sheets, dated December 28, 2007 as prepared by Christopher A. Jackson, RLS) for a division of CSM1312 and lands located in Section 4, T2N, R19E, City of Burlington.** The proposed Certified Survey Map appears to meet the various lot size dimensional requirements of the Rd-2 District for proposed Lot 1.
- The proposed Certified Survey Map appears to meet the various requirements of Section 236.20(2) of the Wisconsin Statutes except as follows:
  - The centerline of the proposed dedicated public street must be graphically indicated on the face of the proposed Certified Survey Map and a revised Certified Survey map submitted to the City addressing this issue.
- The proposed parcels created by the proposed Certified Survey Map appear to meet the various mandated requirements of the City Subdivision of Land Ordinance as set forth in Section 278-39 of that Ordinance except as follows:
  - Pursuant to the requirements of Section 278-39(A)(2), the setbacks shown on the proposed Certified Survey Map must match those indicated in the "Table of Departures from the Rd-2 District" and so corrected on the face of the proposed Certified Survey Map and a revised Certified Survey Map submitted to the City indicating this correction.

- Pursuant to the requirements of Section 278-39(A)(5), existing and proposed contours must be indicated. However, due to the significantly large parcel of land for the proposed CSM and since a detailed grading plan will be submitted for City Engineer review and approval, it is recommended that this requirement be waived by the Plan Commission pursuant to the requirements of Section 278-11 of the City Subdivision of Land Ordinance.
- Pursuant to the requirements of Section 278-39(A)(6), the date of the Certified Survey Map must be a consistent date indicated on each sheet of the proposed Certified Survey Map and a revised Certified Survey Map submitted addressing this issue.
- The submittal to the City for City approval of a Subdivider's Agreement (pursuant to Section 278-10 of the City "Subdivision of Land" Ordinance) and detailed engineering and drainage plans for the development for the construction of the proposed new segment of Spring Brook Drive as well as the provision of an adequate escrow amount for the demolition of the existing structures on proposed Lot 3.
- **Certified Survey Map (4 sheets, dated January 14, 2008, as prepared by Christopher A. Jackson, RLS) for a redivision of Lots 17-35 and Outlot 2 in the Spring Brook Landing Subdivision, Section 4, T2N, R19E, City of Burlington.** The proposed Certified Survey Map appears to meet the various lot size dimensional requirements of the Rd-2 District for proposed Lots 1 and 2.
  - The proposed Certified Survey Map appears to meet the various requirements of Section 236.20(2) of the Wisconsin Statutes.
- The proposed parcels created by the proposed Certified Survey Map appear to meet the various mandated requirements of the City Subdivision of Land Ordinance as set forth in Section 278-39 of that Ordinance except as follows:
  - Pursuant to the requirements of Section 278-39(A)(2), the setbacks shown on the proposed Certified Survey Map must match those indicated in the "Table of Departures from the Rd-2 District" and so corrected on the face of the proposed Certified Survey Map and a revised Certified Survey Map submitted to the City indicating this correction.
  - Pursuant to the requirements of Section 278-39(A)(5), existing and proposed contours must be indicated. However, due to the significantly large parcel of land for the proposed CSM and since a detailed grading plan will be submitted for City Engineer review and approval, it is recommended that this requirement be waived by the Plan Commission pursuant to the requirements of Section 278-11 of the City Subdivision of Land Ordinance.
  - Pursuant to the requirements of Section 278-39(A)(6), the date of the Certified Survey Map must be a consistent date indicated on

each sheet of the proposed Certified Survey Map and a revised Certified Survey Map submitted addressing this issue.

- That the proposed departures from those standards of the City Zoning Ordinance and City Land Division Ordinance be allowed by the City under the provisions of the PUD Planned Unit Development Overlay District.
- That, as required under the City's earlier approval of the "General Development Plan" for the Spring Brook Landing Development, the existing stormwater maintenance agreement document for the existing stormwater pond located adjacent to and abutting the subject property on the east must be made an integral part of the plans and PUD Overlay District for the subject property.
- The submittal and City approval of the "Condominium Plat", homeowners' association by-law documents, declaration of deed restrictions and protective covenants, any needed utility easement documents, Subdivider's Agreement, detailed engineering and drainage plans for each phase of the development as it progresses, and approval by the Wisconsin Department of Natural Resources for the modification of any boundary of the FW Floodway District (the 100-year recurrence interval floodplain if required by the State).
- That, as required under the City's earlier approval of the "General Development Plan" for Spring Brook Landing, the Wisconsin Department of Transportation must review and approve said plans relating to proposed vehicular access to the subject property from STH 83.
- That any required wetland fill permits must be obtained from the appropriate County, State, or Federal agencies before construction in any wetland area commences. Any wetland delineations performed by wetland biologists and/or wetland fill permits obtained must be copied by the developer to the City before construction in any wetland area commences.
- That any and all technical deficiencies must be corrected.
- That all applicable City of Burlington application and review fees must be paid by the developer.
- That no Building Permits will be issued until:
  - The sanitary and stormsewer and watermain have been installed, tested, and approved by the City of Burlington.
  - Drainage has been rough graded and approved by the City of Burlington.
  - Lots have been rough graded and approved by the City of Burlington.
  - All streets and curb and gutter required to serve the development phase or condominium (as applicable) have been installed, and accepted and dedicated to the City of Burlington.
  - The "Certified Survey Map" and Condominium Plat have been recorded with the Racine County Register of Deeds.

- Building Permits may be granted for model residential units for display purposes only prior to meeting the conditions above referred to provided a Subdivider's Agreement relating thereto has been approved by the Common Council.
- That no Occupancy Permits will be issued until:
  - Streets have been paved except for the final lift of asphalt.
  - The gas, telephone, and electrical services have been installed and are in operation.
  - The water system is installed, tested, and approved by the City of Burlington.
  - The sanitary sewer system is installed, tested, and approved by the City of Burlington.
  - All City of Burlington codes and ordinances and Building Codes have been complied with.
- In compliance with the requirements of Section 236.11(1)(b) of the Wisconsin Statutes, that if the "Certified Survey Maps" addressing all of the conditions of approval are not submitted within twenty-four (24) months after the conditional approval of the "Certified Survey Maps" by the Common Council, that the "Certified Survey Maps" must be considered as rejected by the Plan Commission and Common Council without further action by the Plan Commission and Common Council.
- Any other additional requirements of the City Plan Commission, Common Council, City Administrator, City Attorney, Fire Chief, Police Chief, and/or City Engineer.

Roll Call: Ayes: Thate, Eisenhardt, Schulte, Henney and Vos. Nays: None. All were in favor and the motion carried.

### **NEW BUSINESS**

1. **Consideration to approve a Site Plan Application and a Conditional Use Application from Verizon Wireless for property located at 341 Origen Street, to upgrade the existing telecommunications equipment and add a generator, subject to Kapur and Associates January 24, 2008 memorandum and Patrick Meehan's January 31, 2008 memorandum to the Plan Commission.**

Mayor Lois opened this issue for discussion.

Mr. Meehan stated that the City Attorney has requested that a lease amendment of the existing lease to include the generator be a part of the recommendation of approval.

Commissioner Henney questioned if the antenna would be tested frequently. Mr. Tim Mantz, Verizon Wireless explained that testing would be done on this property once a week during the day. Commissioner Henney asked that a letter be sent to the area residents with the results on a regular basis. Mr. Mantz stated that could be done.



Mr. Corey Militzer expressed his concern with the noise that would be produced from the weekly testing. Mr. Mantz explained that the frequent testing would aid in any correction of the equipment that would need to be made and the noise produced would be minimal.

Commissioner Eisenhardt questioned if the generator would be run on a diesel engine or natural gas. Mr. Mantz stated that it would be run off of the natural gas.

Commissioner Vos moved and Commissioner Thate seconded to approve a Site Plan Application and a Conditional Use Application from Verizon Wireless for property located at 341 Origen Street, to upgrade the existing telecommunications equipment and add a generator, subject to a lease amendment of the existing lease to include the generator; Kapur and Associates January 24, 2008 memorandum and Patrick Meehan's January 31, 2008 memorandum to the Plan Commission:

- That said proposed emergency backup generator accessory structures and facilities be constructed pursuant to the following submitted documents and drawings:
  - Letter to the City of Burlington Plan Commission from Tim Mantz, Agent for Verizon Wireless dated December 18, 2007 (1 page).
  - Sheet T-1 "Title Sheet" dated revised 7/31/07 as prepared by Westin Engineering Consultants, Ltd.
  - Sheet C-1 "Site Plan" dated revised 7/31/07 as prepared by Westin Engineering Consultants, Ltd.
  - Two (2) Different Sheets C-2 "Concrete Slab Plan, Section & Notes" dated revised 7/31/07 as prepared by Westin Engineering Consultants, Ltd.
  - Sheet E-1 "General Notes & Trench Detail" dated revised 7/31/07 as prepared by Westin Engineering Consultants, Ltd.
  - Sheet E-2 "Existing & New One Line Diagram & Scope of Work" dated revised 7/31/07 as prepared by Westin Engineering Consultants, Ltd.
  - Sheet E-3 "Alarm Wiring, and New ILC Panel Schedule" dated revised 7/31/07 as prepared by Westin Engineering Consultants, Ltd.
  - Sheet E-4 "Generator Manufacturer Specs" dated revised 7/31/07 as prepared by Westin Engineering Consultants, Ltd.
  - Sheet E-5 "ILC Manufacturer Specs" dated revised 7/31/07 as prepared By Westin Engineering Consultants, Ltd.
  - Product data on "SD060 Liquid Cooled Diesel Engine Generator Sets--Generac Power Systems, Inc." dated 2004 (9 pages).
- That said proposed emergency backup generator accessory structures and facilities must be constructed pursuant to the following requirements of Section 315-130.1(B) of the City Zoning Ordinance as follows:
  - The proposed antenna or antenna structure [or its associated emergency backup generator] must not result in interference with radio and/or television reception in nearby residential or

nonresidential areas based upon the applicable Federal Communications Commission regulations.

- No form of advertising or signage (other than warning or equipment information signage) will be allowed on the emergency backup generator accessory structures and facilities. This prohibition shall include but not be limited to any flag, pennant, whirling object, banner, inflatable device, or other article attached to a string or line.
- The base of the tower and its associated accessory structures must be fenced and secured so that they are not accessible by the general public. All fencing must meet the applicable fence requirements of the City.
- In the event the use of any communication tower has been discontinued for a period of 180 consecutive days, the tower must be deemed to be abandoned. Determination of the date of abandonment must be made by the Zoning Administrator, based upon documentation and/or affidavits from the communication tower owner/operator regarding the issue of tower usage.
  - Upon the Zoning Administrator's determination of such abandonment, the owner/operator of the tower will have an additional 180 days within which to reactivate the use of the tower or transfer the tower to another owner/operator who makes actual use of the tower or dismantle and remove the tower. At the earlier of 180 days from the date of abandonment without reactivation or upon completion of dismantling and removal, any exception and/or variance approval for the tower must automatically expire.
  - The property owner must sign, as a condition of issuance of a conditional use permit, an agreement (subject to the City Attorney's review and approval) and record (with the Racine County Register of Deeds) as a deed restriction to remove the communications tower, antenna(s), and associated accessory structure(s) and/or facility(ies) within 180 days of the determination of such abandonment. The City of Burlington may cause such removal to be performed and levy the cost thereof, including direct costs (i.e., contractual costs, personnel and legal expenses) and overhead expenses (to be calculated at 55% of all direct costs), as a special charge against the property. In conjunction with said removal, the City of Burlington must have full access to both the tower site and all access and/or utility easements associated with said facilities.
- There must be no outdoor storage of any vehicles, equipment, or other goods permitted in conjunction with communications towers, antennas, and associated accessory structures and facilities. This subsection does not apply to overnight storage of vehicles or equipment necessary for the construction or repair of the

communications tower(s), antennas, and associated accessory structures and facilities.

- All associated accessory structures and facilities must be maintained in a clean, sanitary, and safe manner and kept free from trash, refuse, and debris. In addition, all communications towers, antennas, and associated accessory structures and facilities must be maintained in accordance with all applicable local, state, and federal regulations. If the property owner should fail to fulfill the obligation of said maintenance, the City of Burlington may cause such maintenance to be performed and levy the cost thereof, including direct costs (i.e., contractual costs, personnel and legal expenses) and overhead expenses (to be calculated at 55% of all direct costs), as a special charge against the property. In conjunction with the performance of said maintenance, the City of Burlington must have full access to both the tower site and all access and/or utility easements associated with said facilities.
- All landscape plant materials must be maintained in a live condition at all times. Any plant materials included in the approved landscape plan that do not survive must be replaced with plant material(s) of the same or like species of equal size within the next planting season, but in any event within six months of the plant's demise. The property owner must make said replacement. If the property owner should fail to fulfill the obligation to replace said landscape plant(s) within said period, the City of Burlington may cause such replacement to be performed and levy the cost thereof, including direct costs (i.e., contractual costs, personnel and legal expenses) and overhead expenses (to be calculated at 55% of all direct costs), as a special charge against the property. In conjunction with the performance of said landscape plant replacement, the City of Burlington must have full access to both the tower site and all access and/or utility easements associated with said facilities. ***[No landscaping is proposed at the subject property for the proposed emergency power generator. However, if such landscaping is installed in the future then these requirements would be applicable.]***
- No construction of the communications tower(s), antennas, and/or associated accessory structures and facilities will be commenced until all applicable FCC licenses have been granted and copies of said FCC licenses have been furnished the City of Burlington.
- No portion of any wireless communications towers, antennas, and associated accessory structures and facilities will overhang any property line.
- The proposed power generator must be required to meet the noise regulations set forth under the provisions of Section 315-95(B) and (C) of the City Zoning Ordinance.

- That the applicant addresses any other concerns of the City Plan Commission.

All were in favor and the motion carried.

**2. Review from Patrick Scherrer, Zoning Administrator, of a Conditional Use Permit (CUP) for Menards, located at 2100 Milwaukee Avenue, originally issued on January 26, 2007.**

Mayor Lois opened this issue for discussion.

Mayor Lois asked that a review memo be brought back annually to update the Plan Commission members.

**3. Consideration of a recommendation to the Common Council or Ordinance 1855(27), "An ordinance to amend Sections 315-64 and 315-71 of the Code of the City of Burlington to allow advertising signs in public parks under certain conditions and to amend sign limitations in nonresidential PUD Overlay Zoning Districts".**

Mayor Lois opened this issue for discussion and clarified that this pertains to the City Dog Park.

Commissioner Henney questioned if by approving this ordinance would it allow any kind of signs to be put on the fences surrounding the dog park. Mayor Lois stated that any signs that would go up at the dog park would have to go to the Park Board for approval.

Commissioner Vos moved and Commissioner Schulte seconded to recommend to the Common Council Ordinance 1855(27), "An ordinance to amend Sections 315-64 and 315-71 of the Code of the City of Burlington to allow advertising signs in public parks under certain conditions and to amend sign limitations in nonresidential PUD Overlay Zoning Districts".

All were in favor and the motion carried.

**4. Discussion regarding the potential acquisition of a portion of the J. Boilini Farms, Inc. property, located on S. Pine Street, south of the Burlington Manufacturing and Office Park.**

Mayor Lois opened this issue for discussion. He explained to the Commission that this potential acquisition is being brought forward for information purposes only and would allow the further expansion of the Burlington Manufacturing and Office Park (BMOP).

Commissioner Vos questioned if it is the City's intention to expand the BMOP with the same rules. Mayor Lois stated that at this time it is. Commissioner Vos expressed his desire to see fewer standards placed in the BMOP to allow for more "mom & pop" type businesses, similar to the old industrial park. Mayor Lois stated that the City does not want to jeopardize the quality of the current BMOP, however, he agreed that the City was in need of more area for the smaller

businesses. He explained that the Boilini site was being looked at because it would provide continuity with the current BMOP lots. Commissioner Vos stated that he doesn't want the City to restrict themselves with this new land. Mayor Lois stated that future discussions would have to take place to determine how to accommodate the growing need for more of "incubator sites" (1 to 3 acre lots) for smaller companies.

Town of Burlington Representative Phil Peterson would like to see the City and the Town of Burlington communicate better regarding the BMOP issues. He voiced his concern regarding the BMOP's expansion due to the fact that the Town will have a residential subdivision coming in quite close to the Boilini property. Mayor Lois stated that the Town and the City have been discussing these issues. Mr. Peterson further expressed his concern that the agreements made now regarding these issues could change with the changing City Council and Town Board members. Mayor Lois explained that the Town Board adopted the City's Land Use Plans for this area and both the City and the Town would continue to work together on these issues no matter who the Council and Board members may be.

### **ADJOURNMENT**

Commissioner Thate moved and Commissioner Henney seconded to adjourn the meeting at 7:08 p.m. All were in favor and the motion carried.

Adjourned at 7:08 p.m.

Recording Secretary – Angela M. Hansen